

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

JERRY LAMAR WHITLOCK, #04182

PETITIONER

VS.

CIVIL ACTION NO. 3:12CV186TSL-JCG

RONALD KING

RESPONDENT

ORDER

This cause is before the court on the January 26, 2015 report and recommendation of Magistrate Judge John C. Gargiulo, recommending dismissal of Whitlock's § 2254 petition. Whitlock has filed objections to the report and recommendation, and the court, having considered the objections, now concludes that the objections are not well taken and should be overruled and that the report and recommendation should be adopted as the opinion.

IT IS, THEREFORE, ORDERED that the report and recommendation of United States Magistrate John C. Gargiulo entered on January 26, 2015, be, and the same is hereby adopted as the finding of this court, and the petition for writ of habeas corpus is hereby dismissed with prejudice.

It is further ordered that a certificate of appealability is denied because petitioner has failed to demonstrate that "jurists of reason would find it debatable whether [this] court was correct in its procedural ruling," and has also failed to show that "jurists of reason would find it debatable whether the petition states a valid claim of the denial of a constitutional right...."

Slack v. McDaniel, 529 U.S. 473, 484, 120 S. Ct. 1595, 146 L. Ed. 2d 542 (2000).

A separate judgment will be entered herein in accordance with this order as required by Rule 58 of the Federal Rules of Civil Procedure.

SO ORDERED this 27th day of February, 2015.

/s/Tom S. Lee
UNITED STATES DISTRICT JUDGE